

# EXHIBIT 1

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF SUFFOLK

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IN RE OPIOID LITIGATION

Index No: 400000/2017

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This document relates to:

The County of Nassau, New York v.

Purdue Pharma L.P.,

Case No. 400001/2017

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The County of Suffolk, New York v.

Purdue Pharma L.P.,

Case No. 400008/2017

-----X

The People of the State of New York v.

Purdue Pharma L.P.

Case No. 400016/2018

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January 23, 2020

9:20 A.M.

EXAMINATION BEFORE TRIAL of LACEY KELLER, an  
Expert Witness herein, taken by the attorneys for  
the respective parties, pursuant to Notice, held at  
the above-stated time and place, before Melissa  
Leonetti, RPR, a Notary Public of the State of New  
York.

1 L. KELLER

2 break out the Walmart numbers, you aren't planning  
3 to offer an opinion about those broken-out Walmart  
4 numbers at trial, fair?

5 A. Correct. Not at this time.

6 Q. Likewise, for tables like table 52 that  
7 offer rolled-up numbers for each county in New York,  
8 is it fair to say you are not going to offer an  
9 opinion at trial that separates out which of those  
10 numbers might be attributed to any particular  
11 defendant?

12 A. As I have not been asked to amend the  
13 report beyond what is shown here.

14 Q. You keep saying you have not been asked  
15 to amend your report beyond what it says here --

16 A. I have no plans, sitting here, to amend  
17 this to show it in any other way.

18 Q. Turn, if you would, please, to page 7.

19 A. Okay.

20 Q. Paragraph 13 talks about the New York  
21 Department of Health prescription monitoring program  
22 data, correct?

23 A. Correct.

24 Q. You describe that prescription monitoring  
25 data as prescription data that is maintained by the

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L. KELLER

New York Department of Health and widely used by prescribers, pharmacies, and law enforcement agencies to track and exchange patient data, correct?

A. Yes. I believe this is a characterization from the PDMP website where they describe the data. But yes, that's what it says here.

Q. And do you understand that to be the truth?

A. Yes, as I've read it on their website.

Q. You also say in paragraph 13 that in 2018 it was estimated that the database contained critical information on approximately 150 million patients in New York and 24 other states. Correct?

A. Correct. And again, I might have been more accurate to put some sort of reference to the PDMP website here to support these citations.

Q. New York's prescription monitoring data includes a variety of information on every prescription for opioids filled in New York going back to roughly 2014; is that fair?

MS. CONROY: Objection.

A. Yes, I believe so.

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L. KELLER

Q. As you understand that that prescription data was produced in this litigation, correct?

A. Yes. That's why it was made available to me.

Q. As that data was produced in this case, you can't see the patient name, but each patient gets a unique identifying number, correct?

A. I believe that to be correct. There might be an additional identifier of the patient in that data set, maybe a ZIP code, but I can't remember without looking at the data.

Q. Do you understand that the prescription monitoring data that was produced in this case also includes the medication and the dose for each prescription?

A. Yes. It would list what product was being prescribed and as well as the number of dosage units or doses in that prescription, yes.

Q. The prescription data that has been produced in this case also includes the date the prescription was filled, the doctor who wrote it, the pharmacy that filled it?

A. Yes, I believe all of these fields are in there.